

**IDAHO STATE LEGISLATURE
REQUEST FOR A PUBLIC RECORD**

Idaho Public Records Act
(Chapter 1, Title 74, Idaho Code)

Date: _____

From: _____
(Name) (Email address)

(Mailing address)

(City) (State) (Zip code)

(Daytime telephone number)

To: ____ Representative _____

____ Senator _____

____ Other _____

I request the following record or records (must be identified with reasonable specificity):

I am requesting only records within the timeframe: _____ to _____

(Date) (Date)

If you are requesting that we search email or other records relating to specific topics, please specify the search terms you would like us to use to identify the records you are requesting:

Declining to identify search terms may increase the volume of records and the amount of staff time required to review the records, which may result in higher fees.

General Information

Time for Response

The Legislative Services Office (LSO) is required to respond to a request for a public record within three working days after receiving the request. If it is determined that a longer period of time is needed to locate or retrieve the record, then our office must notify the requestor and supply the record no later than 10 working days from the receipt of the request. (Section 74-103, Idaho Code)

Fees

It often requires significant staff time to respond to a request for a record. This is due, in part, to the time it takes to search for and review records in order to identify those that are responsive to the request and to seek legal advice to ensure compliance with the requirements of the law. Because staff time is paid with state funds, the Legislature has established fees to recover the actual labor and copying costs associated with locating, reviewing, and copying documents if:

1. The request is for more than 100 pages of paper records; or
2. The request includes records from which nonpublic information must be deleted; or
3. The actual labor associated with responding to a request exceeds two hours.

A requester may not file multiple requests for public records solely to avoid payment of fees. If LSO reasonably believes that one or more requesters is segregating a request into a series of requests to avoid payment of fees, then we may aggregate such requests and charge the appropriate fees. LSO may consider the time period in which the requests have been made in its determination to aggregate the related requests. Our office will not aggregate multiple requests on unrelated subjects from one requester.

LSO may require advance payment of fees. Any money received by LSO will be credited to the account for which the expense being reimbursed was or will be charged, and such funds may be expended by LSO from that account. Any portion of an advance payment in excess of the actual costs of labor and copying incurred by our office in responding to the request will be returned to the requester. (Section 74-102, Idaho Code)

Appeals Process

The sole remedy for a person aggrieved by the denial of a request for disclosure is to institute proceedings in the district court of the county where the records are located to compel the agency to make the information available for public inspection. The petition contesting the public agency's decision must be filed within 180 calendar days from the date of mailing of the notice of denial or partial denial

by the public agency. The appeals process is set forth in Section 74-115, Idaho Code.